

Revised: July 5, 2005

Voluntary Leave of Absence without Pay, with Benefits*

Administrative Guidelines

** If approved, employee would get the City's contribution toward health insurance, and will accrue vacation and sick leave.*

Voluntary Leave without Pay, with Benefits is a benefit which may be given at management's discretion in Civil Service Rule 19A and in some labor contracts. It is intended to produce savings, in the form of salary, primarily for the benefit of the City and not for the convenience of the employee (per Civil Service Rule 19A).

[\(Click here to Civil Service Rule 19; go to Section A, paragraph 3\)](#)

If approved by the department director for stated budgetary reasons, employees may be granted up to **160** hours of leave without pay with benefits per fiscal year. Employees in AFSCME Clerical, Technical & Legal, CCEA, M&M, PEA, SPSO may be granted leave up to **480** hours.

The following guidelines apply to this leave:

- Must be pre-approved by the department director, Human Resources and the Mayor's Office.
- Must be used for budgetary savings for the department to meet stated department saving goals; no money can be spent to replace the employee.
- May be approved for specialized training if the training is related to the employee's current job or a future city promotion.
- Only regular, full time employees are eligible for voluntary leave.
- Must be used for a minimum of 40 consecutive hours.
- May not be used on a regular, permanent basis, e.g., allowing a full-time employee to work part-time hours.
- May not be used in conjunction with military leave.
- May not be used intermittently with vacation, holidays, comp time, sick pay, or leave no pay.
- May not be used to qualify for holiday pay.
- May not be taken back-to-back over two calendar years to extend the time eligibility.
- May not be granted when employment is seasonal, and the employee would normally be reported as on seasonal leave or lay-off.

Voluntary leave with benefits and FMLA (Family Medical Leave Act)

Please note: FMLA provides for the continuance of the City's contribution toward health insurance for 12 weeks. FMLA does not provide for accrual of vacation and sick leave.

If the reason for the leave falls within the guidelines of the FMLA, Human Resources will notify the employee in writing that the leave will count against his/her annual FMLA entitlement. Any questions regarding who is eligible for FMLA, or what types of leave are covered by FMLA, should be referred to Joanne Lempke in Human Resources/Risk Management at 266-6500.

IF YOU HAVE ANY FURTHER QUESTIONS REGARDING THIS POLICY, PLEASE CONTACT:

The payroll person in your department
or

Joanne Lempke, Employee Benefits Manager
(651) 266-6500